

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

SILAS CALHOUN and EMILY CALHOUN,  
Individually and as Parents and Next Friends  
of ESTELLA CALHOUN,

Plaintiff,

v.

UNITED STATES OF AMERICA

Defendant.

**Civil Action No. 04-10480-RGS**

**JOINT MOTION FOR ENLARGEMENT OF TIME  
TO FILE PROPOSED FINDINGS OF FACT AND LAW**

The parties, by and through their attorneys, hereby move this Court for an enlargement of time until September 14, 2007, to file proposed findings of fact and law in the above captioned action. The parties also request the scheduling of closing arguments for the week of September 24, 2007. Good cause exists for this motion.

Due to a backlog of work and personal commitments the court reporter has been unable to complete the trial transcripts. As of the date of this motion, only the first three days of the five day trial have been completed and transmitted to the parties. The remaining 2 days of transcripts are expected to be transmitted over the next several weeks. Thus, the parties will not be able to complete their respective proposed findings of fact and law by the Court's previously approved deadline of August 2, 2007 or the Court's recently extended deadline of August 8, 2007. Further, counsel for the government will be out of the office for a previously scheduled personal commitment from August 3 through August 31, 2007. Accordingly, the parties request an enlargement of time until September 14, 2007, to file proposed findings of fact and law. The parties also request the scheduling of closing arguments for the week of September 24, 2007.

This Motion is made in good faith and is not made to delay the action, or for any other improper purpose.

For the Plaintiffs,

Silas and Emily Calhoun,  
Estella Calhoun,

For the Defendant,

UNITED STATES OF AMERICA  
MICHAEL J. SULLIVAN  
United States Attorney

/s/ Michael S. Appel (By:APG) 8/1/2007

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Suffolk, ss.

CERTIFICATE OF SERVICE

Boston, Massachusetts  
DATE: August 1, 2007

I, Anton P. Giedt, Assistant U.S. Attorney, do hereby certify that I have this day served a copy of the foregoing upon the Plaintiffs' counsel of record by Electronic Filing.

/s/ Anton P. Giedt  
Anton P. Giedt  
Assistant U.S. Attorney

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